

Message Text

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ACTION EUR-12

INFO OCT-01 EA-07 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 PM-04 INR-07 L-03 ACDA-07 NSAE-00

PA-01 SS-15 PRS-01 SP-02 TRSE-00 SAJ-01 H-02 IO-13

EB-07 COME-00 OMB-01 SIL-01 LAB-04 /089 W

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O P 221645Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 0610

INFO USMISSION NATO BRUSSELS PRIORITY

CINCPAC HONOLULU PRIORITY

AMEMBASSY TOKYO PRIORITY

CINC USAREUR HEIDELBERG PRIORITY

DOD WASHDC PRIORITY

CINC EUR VAHINGEN PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12379

E.O. 11652: GDS

TAGS: MARR MPOL NATO GW JA

SUBJECT: JAPANESE INTEREST IN NATO LABOR ARRANGEMENTS

REFS: (A) BONN 12325; (B) STATE 180929

BEGIN SUMMARY. REFTEL (B) CROSSED REFTEL (A). MR. SATO CALLED ON EMBASSY BONN TO DISCUSS ARRANGEMENTS FOR HIS GROUP'S BRIEFINGS IN USAREUR. HE IS QUITE SATISFIED WITH ARRANGEMENTS MADE TO DISCUSS LOCAL LABOR PROBLEMS. MOREOVER, HE FEELS THAT HE RECEIVED SUFFICIENT INFORMATION CONCERNING BURDENSARING AND THE STATUS OF FORCES AGREEMENTS DURING HIS WASHINGTON DISCUSSIONS SO THAT HE NO LONGER REQUIRES BRIEFINGS ON THESE SUBJECTS HERE IN GERMANY. HOWEVER, HE STILL FEELS THE NEED FOR ADDITIONAL INFORMATION ON "ENVIRONMENTAL PROBLEMS." END SUMMARY.

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1. MR. SATO PROVIDED THE EMBASSY WITH A LIST OF THE

TYPE OF QUESTIONS WHICH HE INTENDS TO USE AT USAREUR TO STIMULATE DISCUSSION CONCERNING LOCAL LABOR PROBLEMS. EMBASSY FORESEES NO PROBLEMS AND FEELS THAT THE ARRANGEMENTS MADE BY USAREUR SHOULD SATISFY MR. SATO FULLY ON THESE MATTERS.

2. MR. SATO ACCEPTED THE EMBASSY'S EXPLANATION AS TO WHY NEITHER USAREUR NOR THE EMBASSY WAS IN A POSITION TO DISCUSS BURDENSARING AND THE STATUS OF FORCES AGREEMENTS WITH THE JAPANESE STUDY GROUP. HE NOTED THAT THESE HAD BEEN COVERED DURING HIS WASHINGTON DISCUSSIONS AND SAID THAT HE COULD POSE ANY FOLLOW-UP QUESTIONS WHEN HE RETURNED TO WASHINGTON, JULY 27.

3. MR. SATO EXPLAINED HIS GROUP'S INTEREST IN "ENVIRONMENTAL MATTERS" MAKING IT CLEAR THAT HIS INTEREST WAS MUCH BROADER THAN WE HAD BEEN LED TO BELIEVE. INDEED, ENVIORNMENTAL MATTERS ARE ONLY ONE ASPECT OF A BROADER INTEREST WHICH REVOLVES AROUND THE APPLICATION OF GERMAN DOMESTIC LAW TO THE US FORCES. MR. SATO GAVE THE EMBASSY THE FOLLOWING LIST OF QUESTIONS TO WHICH HE HOPED TO OBTAIN ANSWERS:

BEGIN TEXT

LEGAL MATTERS

A. APPLICATION OF GERMAN DOMESTIC LAW TO FOREIGN FORCES

(1) FRG INTERPRETATION ON WHETHER DOMESTIC LAW DOES OR DOES NOT APPLY TO FOREIGN FORCES UNDER THE NATO SOFA AND OTHER AGREEMENTS.

(2) SPECIFIC CASES OF INTEREST

(A) APPLICATION OF DOMESTIC LAW TO FOREIGN FORCES REGARDING DISASTER PREVENTION AND ENVIRONMENTAL PROTECTION.

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(B) APPLICATION OF DOMESTIC LAW TO FOREIGN FORCES IN THE AREA OF SOCIAL WELFARE AND QUARANTINE.

(C) APPLICATION OF DOMESTIC LAW IN THE LABOR AREA.

(3) ENTRY OF FRG AUTHORITIES INTO FOREIGN
BASES FOR INSPECTION AND OTHER PURPOSES (ART 53 OF FRG
AGREEMENT AND RELEVANT PROVISIONS OF PROTOCOL).

(4) MISCELLANEOUS (E.G., APPLICATION OF
DOMESTIC LAW REGARDING USE OF ROADS AND AIR TRAFFIC

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PA-01 SS-15 PRS-01 SP-02 TRSE-00 SAJ-01 H-02 EB-07

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O P 221645Z JUL 76
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 0611
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CINCPAC HONOLULU PRIORITY
AMEMBASSY TOKYO PRIORITY
CINC USAREUR HEIDELBERG PRIORITY
DOD WASHDC PRIORITY
CINC EUR VAIHINGEN PRIORITY

C O N F I D E N T I A L SECTION 02 OF 02 BONN 12379

CONTROL).

B. CRIMINAL JURISDICTION

(1) POLICE ACTIVITIES OF FOREIGN FORCES
OUTSIDE BASES (ART 7(10) OF NATO SOFA AND ART 20 OF
FRG AGREEMENT).

(2) EXECUTION AND WAIVERING OF PRIOR JURISDICTION.

(3) INTERPRETATION OF "ON DUTY" (ART 7(3)(A)(2) OF NATO SOFA AND ART 18 OF FRG AGREEMENT).

(4) JURISDICTION OVER CRIMINAL CASES ON BOARD FOREIGN SHIPS WITHIN FRG TERRITORIAL WATERS
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(ART 7 OF NATO SOFA).

C. MECHANISM FOR CONSULTATIONS BETWEEN FRG AND US FORCES.

D. FACILITIES AND AREAS.

(1) DOMESTIC LEGAL ARRANGEMENTS IN THE FRG.

(2) SHARING OF COSTS FOR PROVIDING AND MAINTAINING BASES.

END TEXT.

4. WHILE WE EMPHASIZED OUR DESIRE TO BE OF THE MAXIMUM POSSIBLE ASSISTANCE TO THE JAPANESE GROUP, WE TOLD MR. SATO THAT NO OFFICE OR GROUP OF OFFICES IN USAREUR APPEARED COMPETENT TO DISCUSS THESE ISSUES, WITH THE POSSIBLE EXCEPTION OF CRIMINAL JURISDICTION. WE ALSO NOTED THE EMBASSY'S LACK OF EXPERTISE IN THESE FIELDS. SINCE NEITHER MR. SATO OR HIS GROUP INTENDED TO VISIT BRUSSELS, WE SUGGESTED THAT THE REMAINING ISSUES SHOULD BE DISCUSSED IN WASHINGTON.

5. MR. SATO APPEARED PERFECTLY SATISFIED WITH OUR DETAILED EXPLANATION OF THE SITUATION. HE AGREED IT SEEMED MOST APPROPRIATE FOR THESE MATTERS TO BE DEALT WITH WHEN HE RETURNED TO WASHINGTON AND REQUESTED THAT THE EMBASSY SEND OUT A TELEGRAM TO THAT EFFECT.

6. ACTION REQUESTED: UNLESS THE DEPARTMENT HAS SOME OTHER SUGGESTION TO OFFER, WE REQUEST THAT ARRANGEMENTS BE MADE FOR MR. SATO AND HIS GROUP TO DISCUSS THE QUESTIONS LISTED ABOVE IN THE DEPARTMENT AND/OR PENTAGON. PLEASE ADVISE.
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